

### **REMARKS/ARGUMENTS**

The Office Action of February 7, 2007 has been carefully reviewed and these remarks are responsive thereto. Applicant notes that the undersigned is new counsel of record pursuant to the Power of Attorney filed August 2, 2007.

Claims 1-34 have been cancelled without prejudice or disclaimer. Claims 35-58 have been added. No new matter has been added. Claims 35-58 are pending upon entry of the present amendment. Reconsideration and allowance of the instant application are respectfully requested.

#### ***Claim Rejections***

Claims 16-33 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,929,850 to Broadwin et al. ("Broadwin") in view of U.S. Patent No. 5,982,445 to Eyer et al. ("Eyer") and further in view of U.S. Patent No. 4,868,866 to Williams, Jr. ("Williams"). Claims 16 and 25 also stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,585,858 to Harper et al. ("Harper") in view of U.S. Patent No. 5,844,620 to Coleman et al. ("Coleman") and further exemplified by Williams. Claims 16-33 have been cancelled, thus rendering the current rejections of record moot.

#### ***New Claims***

As noted above, claims 35-58 have been added. Although claims 35-56 have not been rejected, Applicant provides the following remarks in the interest of expediting prosecution.

New independent claim 35 relates to a database, remote from a broadband receiver of a set-top box, configured to receive future programming information from one or more content sources, wherein the database is repeatedly scanned by the scanning module to identify one or more future programming information items stored therein, wherein the identified one or more future programming information items comprise at least one web page accessible to devices other than set-top boxes from a first content source of the one or more content sources.

None of the cited references, either separately or in combination, teaches or suggests such features. Harper at most discloses a system to deliver a composite interactive program (e.g., a sporting event). Harper, col. 6, lines 16-21. Harper lacks, however, a teaching or suggestion of a database that receives *future programming information from web pages which are accessible to*

*authorized parties over the Internet via a device other than a broadband receiver.* While Harper discloses at col. 6, lines 44-46 that the interactive program signal can be received from, processed, and displayed by way of a multimedia personal computer, Harper fails to teach or suggest that such an interactive program signal includes future programming information, much less a web page in the future programming information accessible, from the content source, to devices other than set-top boxes.

Broadwin is similarly deficient. For example, nowhere does Broadwin teach or suggest future programming information including at least one web page accessible to a device other than set-top boxes. At most, Broadwin discloses an interactive decoder which makes use of HTML “link data” to provide interactive applications and still images. Broadwin, col. 5, lines 64-67; col. 6, lines 18-23. Nonetheless, Broadwin does not teach or suggest that such a page containing such HTML “link data” is accessible from a content source to devices other than the set-top boxes. Rather, Broadwin merely discloses that the HTML link data is sent to and received by the interactive decoder 140. Broadwin, col. 10, lines 12-17. Eyer, Williams and Coleman all fail to cure these deficiencies of Broadwin and Harper. Thus, notwithstanding whether the references are properly combinable, the asserted combinations would not have resulted in the features recited in claim 35. Accordingly, claim 35 is allowable for at least these reasons.

New independent claim 45 recites, *inter alia*, features similar to those discussed with respect to claim 35. None of the cited references teach or suggest such features. For example, none of the cited references, either separately or in combination, teaches or suggests receiving, at a broadband receiver in a set-top box, a displayable single data stream comprising future programming information, wherein the future programming information includes at least one active page accessible over a network to one or more devices other than set-top boxes from a content source providing the at least one page to the remote database. Accordingly, notwithstanding whether the references are properly combinable, the asserted combinations would not have resulted in the features recited in claim 45. Claim 45 is thus allowable for at least these reasons.

Claims 36-44 and 46-56 are dependent on claims 35 and 45, respectively, and are thus allowable for at least the same reasons as their base independent claims and further in view of the novel and non-obvious features recited therein. For example, claims 40 and 52 relate to

displaying a 3D object corresponding to the displayable indicia. None of the cited references teach or suggest such a feature. Accordingly, claims 40 and 52 are allowable for this additional reason.

Additionally, claim 54 recites, *inter alia*, “wherein the at least one active page is provided by the content source with a page mark, wherein the page mark is used to identify pages for transmission to the broadband receiver of the set-top box.” None of the cited references, either separately or in combination, teach or suggest such features. Williams discloses continuously broadcasting data in a central database to an unlimited number of subscribers (see, e.g., Abstract). Further, Williams discloses flagging data in a central database that has just been updated. Col. 7, ll. 50-54. Nonetheless, flagging data in the database does not constitute receiving an active page that is provided by *the content source with a page mark*. That is, Williams teaches flagging data after it has been received from a content source; rather than receiving a page from a content source that includes a page mark. None of the other cited references cures this deficiency of Williams. Accordingly, claim 54 is allowable for this additional reason.

New independent claim 57 recites, *inter alia*, “receiving, at a database, future programming information from one or more content sources, wherein the future programming information includes at least one active page including a page mark, wherein the page mark is used to identify pages for transmission to a set-top box; [and] scanning, at the database, the future program information to identify the marked at least one active page, wherein the marked at least one active page includes a command for controlling one or more functions of the set-top box;” None of the cited references teach or suggest such features. Indeed, the cited references lack a teaching or suggestion of receiving, at a database, at least one active page including a page mark from one or more content sources, much less that a page mark is used to identify pages for transmission to a set-top box. As discussed above, Williams merely discloses flagging data in a database once it has been updated in the database. Williams’ flagging of data in the database does not constitute receiving, at a database, a page with a page mark from a content source as is recited in claim 57. None of the other cited references cures this deficiency of Williams. Accordingly, claim 57 and claim 58, which is dependent on claim 57, are allowable for at least these reasons.

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Reply to Office Action of February 07, 2007

**CONCLUSION**

If any fees are required or if an overpayment is made, the Commissioner is authorized to debit or credit our Deposit Account No. 19-0733, accordingly.

All rejections having been addressed, applicants respectfully submit that the instant application is in condition for allowance, and respectfully solicit prompt notification of the same.

Respectfully submitted,

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